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BROWN'S DUMP SITE

COMMUNITY PUBLIC MEETING

MONDAY, APRIL 3, 2000

6:30 p.m.

A. PHILIP RANDOLPH ACADEMIES

OF TECNHOLOGY

1157 GOLFAIR BOULEVARD

JACKSONVILLE, FLORIDA

REPORTED BY:

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A P P E A R A N C E S

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MICHAEL ELLIOTT
DAVID HOOKER

APPEARING FOR EPA

GLENN ADAMS, Human Health Risk Assessor
JOE ALFANO, Remedial Project Manager
JOANNE BENANTE, Chief North Florida Superfund
RANDA CHICHAKLI, Remedial Project Manager
KATHLEEN CURRY, Regional Superfund Ombudsman
SARA GOLDSMITH, Assistant Regional Counsel
ANGELA LEACH, Community Involvement Coordinator
EDDIE WRIGHT, Environmental Justice Coordinator

APPEARING FOR CITY OF JACKSONVILLE

CINDY LAQUIDARA, Assistant General Counsel
CHRIS PERSON, Department of Solid Waste and Resource Management

APPEARING FOR HEALTH DEPARTMENT

LIZ BOZEMAN, Environmental Epidemiology
JEFF GOLDHAGEN, Director Health Department

APPEARING FOR CITY COUNSEL

GWEN YATES, Councilwoman

APPEARING FOR CORRINE BROWN'S OFFICE

DEBORAH K. THOMPSON

APPEARING FOR CITIZENS ORGANIZED FOR ENVIRONMENTAL JUSTICE, INC.

NELLIE TUNSILL
DAWUD SAID, Technical Adviser

A P P E A R A N C E S (Continue)

APPEARING FOR DUVAL COUNTY PUBLIC SCHOOL SYSTEM

BRUCE ACKERMAN, Director Environmental Services

APPEARING FOR CH2M HILL

NORM HATCH, Project Manager

APPEARING FOR FLORIDA EPA

DEENA FEELEY
MIKE FITZSIMMONS

APPEARING FOR CITIZENS HEALTH ADVISORY COMMITTEE

DIANE KERR, Northwest CPAK
ANGIE VANNETTER, Southeast CPAK

APPEARING FOR ATSDR

BOB SAFAY, Region 4

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Monday, April 3, 2000 6:30 p.m.

P R O C E E D I N G S

MR. HOOKER: Good evening and welcome to the meeting this evening. It's 6:30, and so in order to respect everyone's time, everyone that is here and to also try and make sure that we have enough time to do as much discussing as we can this evening, we wanted to go ahead and get started. We know there are going to be others that are going to be coming. But we wanted to go ahead and get started since it is 6:30.

My name is David Hooker and I am one of the facilitators for this evening's process. And Michael Elliott will be the other facilitator for the evening. If you don't mind, if you would assume with me please an attitude of prayer. We'd like to begin this meeting in that way.

Great Creator, we thank you for this, another opportunity to come together in a spirit of community and in a spirit of dialogue. And we recognize that we have been given responsibility as stewards for the earth, and so we hope that in this meeting we will speak in a sense of cooperativeness and in a way where we might work together to do what it is that you have asked us to do to take care of

our part of this earth and to work together as citizens of this earth and as citizens of your kingdom. And in all the things that we do here we ask blessings upon this meeting and upon any future efforts towards stewardship. These and all blessings we ask in your name. Amen.

Michael is going to go over the agenda and then we'll get started from there.

MR. ELLIOTT: Okay, this is the agenda we're going to do today. We are going to introduce the people from the different agencies who are here, have them introduce themselves at the beginning of the meeting. EPA staff will then explain the Superfund process, what the Superfund program does, and what the process is for both investigating conditions and for cleaning up. Then there will be a discussion of the opportunities for community involvement, how that will play out over time.

And then a presentation on the Brown's Dump of the remedial investigation, the current plan for looking into and understanding the conditions that exist around Brown's Dump, and then a short kind of discussion of what activities are going to occur and when they're going to occur, kind of a schedule of when things will happen.

We've reserved half of the meeting for questions and answers and expressions of concern. And what we will do when that time comes is we have a mike here and as people want to say something into the mike, people can just line up and talk into the mike so everybody can hear.

And if it's a question, if it's just a statement of concern, then that's a statement, but if it's a question, and if it's a question for EPA, then EPA will answer it. If it's a question that is best addressed to some other agency, we may try to redirect the question to whatever agency makes sense for purposes of answering that.

At the end of the meeting, at 8:30 the EPA personnel will stay here, and if there are personal questions that you want to ask, additional questions that we didn't have time during the two hours, then you will have an opportunity to do that as well.

So that's an overview of the agenda. Any comments at this point? Okay. So what we're going to do first then is just so that you have a sense of who's here from the different agencies, we're going to have each of the agencies introduce themselves.

And I would like to start with EPA, if EPA personnel could just get up and say their name and

what their role is at EPA.

MS. LEACH: My name is Angela Leach. And I'm community involvement coordinator for the Brown's Dump.

MS. CURRY: Hello. My name is Kathleen Curry, and I am a Regional Superfund Ombudsman. And my role is that of any of you at any time can call on me and I will assist you in trying to find resolution to whatever question you may have or issue that you may have with the EPA in Region 4.

MS. CHICHAKLI: My name is Randa Chichakli. I'm the project manager for the Brown's Dump Site. And I'm the main technical contact for the EPA at Brown's Dump Site.

MS. BENANTE: I'm Joanne Benante. I'm the chief of the North Florida section in the Superfund branch.

MS. GOLDSMITH: Hi. I'm Sara Goldsmith, and I'm the assistant regional counsel for EPA.

MR. ALFANO: I am Joe Alfano. I'm the project manager for the Jacksonville ash site.

MR. ADAMS: I'm Glenn Adams, the human health risk assessor for the EPA for the site.

MR. WRIGHT: I'm sure I probably won't need this. My name is Eddie Wright. I am the

environmental justice program manager for the waste management division. My role as the environmental justice program manager is simply to make sure that each individual in this room have a stake in what impacts their lives and to make sure that everyone here has an ability to give their opinion and sit at the table in the decision-making process.

MR. ELLIOTT: City of Jacksonville? There are two people, Chris and Cindy.

MS. LAQUIDARA: Cindy Laquidara, for the General Counsel's Office, City of Jacksonville.

MR. PERSON: Chris Person, department of solid waste and resource management.

MR. ELLIOTT: Councilwoman Yates?

MS. YATES: Councilwoman Yates, District 8.

MR. ELLIOTT: CH2M Hill?

MR. HATCH: Norm Hatch, project manager.

MR. ELLIOTT: Duval County Health Department?

MR. HILLIARD: Aaron Hilliard, the director of environmental toxicology and the director of environmental health.

MS. BOZEMAN: Liz Bozeman with environmental epidemiology.

MR. GOLDHAGEN: I'm Jeff Goldhagen, director of the health department.

MR. ELLIOTT: Florida Department of Environmental Protection?

MR. FITZSIMMONS: Mike Fitzsimmons with DEP in Jacksonville.

MS. FEENEY: Deena Feeley with DEP in Jacksonville.

MR. ELLIOTT: Duval County Public School System?

MR. ACKERMAN: I'm Bruce Ackerman. I'm the director of environmental services for Duval County Schools.

MR. ELLIOTT: Citizens Organized for Environmental Justice?

MS. TUNSILL: I'm Nellie Tunsill, chairperson, Citizens Organized for Environmental Justice, Inc.

MR. ELLIOTT: Dell Reed?

MR. SAID: Dawud Said, technical adviser.

MR. ELLIOTT: Congresswoman Connie Brown's office?

MS. THOMPSON: Corrine Brown. Deborah Thompson from Corrine Brown's office.

MR. ELLIOTT: Corrine, sorry. And

Citizens Health Advisory Committee? Angie?

MS. VANNETTER: Hi. I'm Angie Vannetter. I'm from the Citizens Health Advisory Committee also from the Southeast CPAC.

MS. KERR: Diane Kerr from the Northwest CPAC.

MR. ELLIOTT: ATSDR, is there somebody here?

MR. SAFAY: My name is Bob Safay. I'm with ATSDR out of Region 4.

MR. ELLIOTT: I think I have everybody. Welcome. We have presentations now for about 40 minutes, and then an hour for questions and answers. So who is actually starting?

MS. LEACH: First of all, I'd like to thank you-all for coming out tonight to our first public meeting for the Brown's Dump Site. I always like to start off letting everyone know where the rest rooms are. They're right back here on the left. There's a ladies and a mens. And also if you did not sign the sign-in sheet, please do so. If you're not on the mailing list, there is a little area for you to check by your name so we can be sure to add your name. If you did not get a flier for this meeting, then more than likely you're not on

the mailing list, so please be sure to sign in back there on the sign-in sheet and pick up some materials that we have laid in the back.

What I'm going to start out doing is just going through the Superfund process, the Superfund law, and how it will apply to the Brown's Dump Site.

The Comprehensive Environmental Response, Compensation and Liability Act, which we refer to CERCLA, is commonly known as Superfund, was established by Congress in 1980. And in 1986 it was amended by the Superfund Amendments and Reauthorization Act which we call SARA.

Superfund enables EPA to respond to cleanups and direct the cleanups of releases or threatened releases that are hazardous, have hazardous substances that may affect the public health, the welfare or the environment at abandoned or uncontrolled sites.

After a site is discovered EPA and/or the state investigates the site, consider the types of contaminants and how they affect the community, the possible risks to the human health or the environment. And the effects on the air, groundwater, surface water, soil, possible pathways

of exposure and effects on population are assessed.

The purpose of the remedial investigation is to fully determine the nature and extent of the contamination. The remedial investigation activities include testing numerous samples of soil, the sediment, surface water and groundwater to determine what contaminations are present and where the contaminations are. EPA monitors these findings throughout the investigation and takes emergency action if necessary. And the Brown's Dump is in the remedial investigation phase right now or the beginning of it.

The results from the remedial investigation, a human health risk assessment and an ecological risk assessment are conducted using the results from the ROI. The risk assessments evaluate the potential risk to the community and to the environment.

These evaluations help EPA to determine whether a cleanup is necessary and identify the appropriate cleanup levels for protecting human health and the environment.

In using the results from the remedial investigation, the feasibility study identifies the possible cleanup alternatives for the site. EPA

applies specific criteria to each of these. And it's nine criteria. And the nine criteria are overall protection of human health and the environment, compliance with applicable or relevant and appropriate requirements, which we refer to as ARARs, long-term effectiveness, reduction of toxicity, mobility or volume through the treatment, short-term effectiveness, implementability, cost effectiveness, and acceptance by the state and the community.

After consulting with the state, EPA then proposes its preferred cleanup remedy and presents it to the public for public comment during a proposed planned public meeting. After considering these comments from the public and responding to the comments, EPA selects the final remedy and issues a record of decision, which we refer to as a ROD.

After the ROD is issued, a remedial design is prepared to determine how to implement this record of decision or ROD. Once the remedial design is complete, the remedy is constructed, installed, or carried out during a remedial action. Almost all of the sites have long-term monitoring to determine that the remedy was effective. When monitoring indicates that a site has been effectively cleaned

up, EPA proposes the site to be deleted from the National Priorities List, which is a list that includes all of the Superfund sites in the nation.

And this chart right here just shows some community involvement activities and opportunities during the Superfund process. You can see the first block says develop remedial investigation feasibility study work plan. And underneath that we have establish EPA contacts, establish administrative record and information repository, conduct community interviews, and that's how we came up with the community relations plan that is in the information repository.

Develop site mailing list, and we've done that. And then we'll just add onto the mailing list with each meeting that we have or the fact sheets that we send out. Develop community involvement plan, issue RIFS fact sheet, and that's what's in the back. Hold RIFS kickoff public meeting, and that's why we are here tonight.

And then the next one is conduct remedial investigation/feasibility study. Maintain community contact and dialogue. Issue news releases and fact sheets as necessary. Conduct informational meetings and/or availability sessions as necessary. And

solicit community input on the RIFS and the risk assessment.

And I'm going to stop there because that's about where we're at right now. And with that, are there any questions on the Superfund process? Thank you. Yes, sir.

VOICE: You mentioned the nine criteria, and one of the criteria was cost. What factors go into determining whether cost is a criteria, whether the cost should even be there or not?

MS. BENANTE: It's one of what's called a modifying criteria for the Superfund process. The first -- you have two threshold criteria. And that is that it's protective of human health and the environment, all remedies have to be protective of human health and the environment, and they have to meet what we call applicable and relevant standards or AARS. Then there are what we call modifying criteria. So in selecting a remedy we might have to look at different scenarios.

As far as the cost is concerned, usually we put chart together and what each of the alternatives are and whether or not they meet the threshold criteria, how they rate out of the nine criteria; and then we compare which is the least

expensive as compared to which is the most expensive.

And, for example, if there is a cleanup remedy out there that is protective of human health and the environment and meets AARS and meets all the other nine criteria and is, say, for example, a million dollars. And then we have one that also meets all those criteria and it's $100 million. You know, we're looked at very closely from Congress to make sure that we're being cost effective. If one meets all the criteria and it's only a million dollars, they frown on us requiring a hundred million dollar remedy when we can do it for $10 million or $1 million. So that's kind of how they compare those costs. Certainly it has to meet all the other nine criteria before you take into consideration the cost factor. Does that help answer the question?

MR. HOOKER: If there are other questions that you think of regarding the Superfund process or those concerns, we will have some time near the end of the meeting. We're going to spend about an hour responding to questions and other concerns.

At this point I believe Ms. Tunsill, Nellie Tunsill, is going to make a presentation from

the Citizens Organized for Environmental Justice and talk about community involvement from their perspective.

MS. TUNSILL: Thank you. I'm representing the people that live on Brown's Dump and that's been living there for quite some time before they knew it was a dump. So let the record show that Citizens Organized for Environmental Justice, Incorporated, since day one has stated in their list of demands that Mary McLeod Bethune Elementary School be closed and the people relocated. That it is in violation of our human and civil rights for the City of Jacksonville to have issued permits for homes and schools to be built on top of a toxic waste site.

Our EPA project manager stated during our earlier meeting with her that she was looking at cleanup rather than relocation. We heard the same thing at the last meeting held by Congresswoman Brown from her supervisor, and recently an article in the Florida Times-Union.

Now, how can justice be achieved when decisions are already made before the remedial investigation and feasibility study are even put into the form of a work plan?

For over 50 years our people have been left to suffer and die on Brown's Dump. We've been treated with disrespect and disregard because we're not considered to be human beings.

So if our human and civil rights have been violated for over 50 years in the matter of Brown's Dump, then who will dispense justice here? We know that the city is spending millions of dollars to buy land for preservation while African-Americans are living and small children are going to school on top of a toxic waste site.

Again, let the record show that we, the people, will not be left to languish, suffer and die on Brown's Dump toxic waste site, where the quality of life is zero, and we're prisoners in our own homes. We're not going to be stuck with worthless properties to be passed on to our children.

So in the matter of Brown's Dump, the only record of decision to be employed here is relocation. We're also aware that environmental justice is being denied in the case of Brown's Dump. There will be questions when question and answer period comes around. Thank you.

MR. HOOKER: Ms. Tunsill, can I ask just one question? Did you want to mention the technical

assistance part?

MS. TUNSILL: Since you insist, and I don't know why, but the Citizens Organized for Environmental Justice was granted what we call a TAP, a technical assistance plan grant. Not a TAG, T-A-G, which is normally what's been given out in a case like yours, but in this situation it was changed from TAG to TAP because they say they knew who the PRPs were, and that's the City of Jacksonville, Duval County School Board and JEA. Since they knew who the PRPs were, they said that they were going to get the city to give the $50,000 grant instead of EPA. EPA usually gives this grant.

And also that the reason why it was a TAP is that Brown's Dump was not put on the NPL -- was not on the NPL. Well, my comment to that was, you started testing this site back in 1985, and they said that they found high levels of lead out there.

Well -- and they needed further testing. But it was not revisited until nine years later. All right. At that time in September of 1994, it scored a 70.71 on the hazardous ranking system, all right. At that time it should have been put on the NPL, but it wasn't. So now it's 1999 and they are saying that the reason why it's not on the NPL is

because at the time it was rated below 28.5.

Well, that's the information that we were given, but we feel like it was not put on the NPL because it was Brown's Dump and because it involved African-Americans.

Now, the $50,000 was granted to our organization. And that money is to be used to hire a technical assistant, which we have done. And the other was set aside for administrative costs, which will include a CPA, whom we have hired. And that's the way the $50,000 is going to be spent. Are there any questions from you, sir, or anybody else about this?

MR. HOOKER: I don't think they understand what NPL is.

MS. TUNSILL: National Priorities List, NPL, okay. It should have been put on there way back -- well, even before that. Should have been in 1985, but 1994 when they definitely found out that it scored high, they still didn't put it on there.

And so really and truly though, I guess it's a blessing that we're here because of the fact that nobody knew about Brown's Dump until May of 1999. I know I certainly didn't, so this was a great big surprise to most of us.

MR. HOOKER: Thank you. And now we're going to have presentation about the remedial investigation.

MS. CHICHAKLI: Hi. My name is Randa Chichakli, and I'm the project manager for the Brown's Dump site with EPA.

I have a small presentation, about ten minutes, just to kind of summarize the remedial investigations at Brown's Dump Site. I want to go through that first, and then I'll address some of the issues that Mrs. Tunsill has brought up.

First, I think most of you know about Brown's Dump. I just want to give you a brief, very brief, history. It was a landfill that was used to hold incinerator ash from a municipal incinerator in the City of Jacksonville. And that operated from like the '40s to the '50s. And the school was built on top of the dump area after 1955. And then, as you know, the homes built up around that.

The ash typically has high levels of lead as well as other metals and organics and some pesticides. In September of last year, EPA entered into an administrative order by consent with the potentially responsible parties for the site. I'm going to call them PRPs for short. And they include

the City of Jacksonville, who operated the incinerator, the Duval County School Board, who owns the property right now and the school obviously, and the Jacksonville Electric Authority, who owns the substation on the property.

These three PRPs in September of last year agreed to perform and pay for the remedial investigation and feasibility study of the site. EPA's role in all of this is enforcement and oversight.

By enforcement I mean that we are there to make sure that the PRPs meet the requirements of the order, such as the schedule. And by oversight I mean that we need -- we're there to make sure that the sampling is done correctly, the methods they use are right so that the results that come from this investigation are good and that we can depend on them to make final decisions about the site.

We can do oversight by being in the field when people take samples and watching their methods. We can do audits on the laboratories that they use. And we also review and revise the work plans that they submit and the reports that present their results and conclusions.

This is an aerial photograph of the site.

That's the school and you can see the residences around it. And Moncrief Creek is up here, just to orient you-all.

You can't see that that well. Sorry about that. But this -- all of these dots on here show all of the samples that have already been taken at this site since 1995. With these results we have a good initial idea of what kind of contamination we have and where it is. And in your fact sheets which I think you-all picked up from back there, there's a picture in there that has -- that shows the estimated extent of ash. And we made that line based on the old results that we have, which all these dots represent. Within that line is where we think the contamination is and that line is where we think the contamination ends. And that's based solely on all the past results that we have.

There's three main goals of this remedial investigation that we're getting ready to start here. The first one is to find out what the site boundaries are, where the contamination ends. The second one is to find out exactly what's in this ash, what's in this soil, what kind of contaminants are there and at what concentrations. And the third goal is to find out how deep the contamination is,

how many feet down is it? Is it just a few inches or is it several feet?

To reach these goals, we have a sampling plan that the PRPs have developed. And they've divided it into two phases to meet these three goals. The first phase is delineation, and that's supposed to answer the question what are the site boundaries.

Let's go back to the picture in your fact sheet. We're going to sample along this boundary line. This is where we think the ash ends. And we're going to do that to confirm whether yes, we're right and there is no more ash at this line and there is no contamination or to prove that no, we're in fact wrong, there's still ash there and the boundary is in fact further out. And we have not found the extent yet. So that's the first phase.

The goal again is to bound the contamination and kind of define a true, clean line to the site.

During this phase every soil sample is going to be tested in the field for lead. And then once we get to a point where we think we have a clean line, we're going to send all of those samples to the laboratory and test for every single metal to

make sure that we are right.

So once we know the boundaries, we need to go to the second phase, which is to characterize the site. And the two goals are to identify what exactly is in the soil, what contaminants are there, and how deep it is. Each proposed location that we plan on taking a sample is going to be sampled at a minimum of three times, once at the surface from zero to six inches, once within the ash -- at least once within the ash, and then below the ash.

We know that throughout the site in some places the ash layer is a few inches thick and in some areas it's several feet thick. So once we start getting in the ash when we're digging in to take our sample, if it's five feet thick, we're going to take a sample every foot. If it's a inch thick, we'll take one sample within the ash.

That way we'll get a good picture of all of the ash on the site to find out what's in it, for site contamination I mean. And also as I said before, at each location we're going to go below the ash. That way we'll be able to show how deep it goes throughout the site.

And just like in Phase I, every soil sample is going to be tested in the field for lead,

and then a percentage of the samples will be sent to a laboratory and tested for all the other metals and other contaminants.

Okay. All of these dots show the new sample locations, the ones that are proposed for this remedial investigation. There's almost 200 of them. The red ones around the site, the red and pink ones, those are the Phase I samples which are meant to find the boundaries of the site. And the yellow ones in the middle are meant to characterize the site, find out what contaminants are there and how deep they go.

If you add those to all of the samples that we have since 1995, we hope that we're going to end up with a very well sampled area and we'll be able to characterize it well and to find the site boundaries well.

Upcoming activities. One thing that I want everyone to come away here with is the knowledge of what's going to be happening to your neighborhood. Sampling is going to start for this remedial investigation on Monday, April the 10th. And it should last two to three months, and that's for both the Brown's Dump Site and the Jacksonville ash site.

CH2M Hill, who is the consultant that the city -- well, all the PRPs hired to perform this work is due to give us a remedial investigation report in September of 2000 which is going to present the results from all of the sampling and conclusions based on these results.

Then they're going to give us a feasibility study in January 2001, and that's going to present the different options for cleanup or relocation if necessary. This is the point where that would come up, where we know what's at the site, we know where the contamination is, what it is, how deep it goes, what the boundaries are so we can start evaluating if it's possible to clean it up, how can we clean it up. If it's not possible to clean it up, what else can we do?

The feasibility study is when all of that is going to come into play during the Superfund process.

Let's go back real quick to sampling and what's going to start happening next week. You're going to see samplers in the school. You're going to see them in people's yards, maybe even your yards. They're going to be wearing hard hats, rubber gloves -- rubber gloves to keep the soil free

from anything that wasn't already in it.

As I said, they're going to be testing in the field for lead. And what they do is they use a machine called an XRF, which stands for x-ray fluorescence. And I think someone is going to do a visual now to show you what that looks like.

It's a very small machine, and they take a sample of soil. They put it in a plastic bag or a plastic cup. They put this machine on top of it and it reads how much lead is in it, and you can read it right there in the field. And he's gone back to get it now.

VOICE: How far down are they going?

MS. CHICHAKLI: How far down are they going? They're going to do a minimum of three samples at each location, once at the surface, once within the ash, and once below the ash. So depending on how thick the ash layer is would depend -- would show how many soil samples we'd take. If it was five feet thick, we'd take one every foot, which is five.

This is the XRF. They take a baggie or a plastic cup and they put the soil in this bag and they lay the machine like this on top of it, and it depresses this button which opens up a shutter that

will read. And then the readout comes here, and it will show you exactly how many parts per million of lead is in that soil sample. I'm going to -- afterwards this machine is going to be back over there with some samples and you guys can ask specific questions about it and look at it if you want, but I don't want to take the time with this right now. It's an expensive machine.

So that's what they'll be doing in the site. Then, as I said, some samples will go to the lab. Those they put into glass jars and put into coolers and ship off to the laboratory. They're also going to be installing a few monitoring wells to test the ground water in the area. That's a much more involved procedure. You'll see a large drill rig, length of pipe, barrels, pumps and other testing equipment.

As for the work at Moncrief Creek, that will be done, but we don't have a final work plan for that yet. So there will be samples going on in the creek, samples of the water and of the sediments.

In a nutshell that's kind of a brief overview of the remedial investigation. And I wanted to -- I hope that I shed a little bit of

light on it for you. I'm sure there are lots of questions. I wanted to start off by just addressing two things that Mrs. Tunsill brought up. The issue of relocation I touched on a little bit. That will come up during the feasibility study after we've characterized the site and relocation will be part of a possible option for cleanup and/or relocation. It's just too early right now to actually do that.

The issue of the technical assistance plan, it is equivalent to a technical assistance grant in the things that it offers the community and the opportunities for involvement. The only difference is this site is not listed on the National Priorities List as Mrs. Tunsill pointed out, which does not allow us as EPA to give money to a community group. But we wanted to make sure that this was equivalent to all other National Priority List sites, so we made it a requirement for the PRPs to fund that money. And as with everything else under the administrative order, our role is enforcement and oversight, that they actually meet all these requirements and we oversee all of it.

The issue of whether or not this site goes on the National Priorities List, this is a National Priority List caliber site, which means it can go on

the National Priorities List. The reason that we did not is because it's a -- we had potentially responsible parties that were ready to work on this site. And to prepare a package to actually list a site on the NPL takes a long time. First it has to be prepared, then it's proposed to the list, and then it's final on the list. And it can take up to a year to two years to actually get it on the list.

And we wouldn't be able to start work until that happened. So since we had potentially responsible parties who were willing and able to pay for and perform this work, we did this in an effort to speed up the process.

But everything -- the process will be followed just as is written in the CERCLA law. We've done everything we can to make it equivalent to the way we would treat any NPL site. And that's about it.

MS. BENANTE: Just to build on what Randa said about the NPL listing. We really haven't made a determination whether we are going to list the site or not list the site. We actually a package. Like Randa said, it takes -- it can take a year or two or three years to get this listed. It's not the people that you're seeing in front of you that do

the listing package. It's other people in our office, and then it goes up to our headquarters office in D.C., and God knows how long it takes up there. You know, it's the government red tape.

But when we came to this site, we realized that this -- it was important. We had people living on top of a Superfund site. We had a school on top of a Superfund site. We were not going to wait for an NPL package to be put together. We wanted to go ahead as quick as we can to start working on this site. So we tried to be as innovative as we could.

And we went to the PRPs. And we said sign on to an agreement with us. We came up with what we thought was the best innovative way of getting money to the community, because we wanted the community to be involved in this site.

On a normal site the community doesn't get involved until the proposed plan stage because that's when the TAG money comes out. On this site we didn't want to wait that long. We thought it was important for everybody in the community to be up to speed and have a say in what's going on in this site. So we made sure that you got that money early on and you had the opportunity early on in the very beginning of the process now to have your input into

the cleanup and the investigation and the feasibility of this site.

So I want to bring that up that this TAP thing is a good thing. We went out of our way to be as innovative as we could to get the community involved, so start this project earlier, and to get it done because we know it's imperative.

When we came down to the site, we saw the school and the people. We thought we've got to get going on this site. And I know it's been around awhile and it's been in a lot of other people's hands. The state had it for a while and the district office.

We got involved basically in 1998, and we have been trying our best to get this thing rolling and get it cleaned up.

So I wanted to point that out. Also, as far as the relocation. We have -- the issue isn't relocation versus not relocation. We will look at relocation in the feasibility study. It will be one of the many options that we look at. But whether or not we clean up the site -- let me tell you right now, we are going to clean up that site. We may -- I'm not saying we're going to relocate or not relocate. We may relocate everybody to Orlando.

Whether we relocate anybody or not, we are still going to clean up that site. We are not going to leave a dirty site in North Jacksonville. We're not going to leave something that looks like craters of the moon. We are going to clean up that site.

And, you know, whether it's redeveloped, whether, you know, redeveloped for industrial, we haven't -- we don't know all of the answers. I think we're going to look at the feasibility study. But one way or another, it will be cleaned up. But again relocation and all of those options will come out in the feasibility study. We have to find out what contamination is there, what the boundaries are and use that information to make a decision.

And then any other questions that come up, I guess we can talk about later.

MR. ELLIOTT: What we're going to do, we're now in the question and answer period. And the way we've set this up, and we'll obviously adjust the mike, is that we would like people, in order to allow people to have a turn at this, is to have people just line up, and whoever is next in line can ask the next question. And we'll go through this.

Now, we will be doing two things while

this is going on. There is somebody who is actually recording what people are saying. And that will -- the record of this will be made public. It will be put in the record repository so anybody who wants access to that can have access to it.

The second thing is that David and I will be switching out. One of us will be writing up all the questions. We won't be writing the answers, but we'll be keeping track of all the questions as you're doing this. And then a summary of this, in a couple of weeks, will be typed up and sent out to anybody who signed up.

So David will be facilitating the first half of this question and answer period, and I'll facilitate the second half. And in the meantime we'll do that. Now, if you use that mike, then this mike can be used for whoever is supposed to be answering the question.

MR. HOOKER: Could I ask you to do one other thing too. If you would, as you begin the questions, if you would identify yourself. If you're comfortable doing that, if you would identify yourselves, that will be helpful for establishing the record as well.

MS. ANDREWS: Sheila Andrews. I have a

question regarding the past results that we obtained on the site. The grid that you developed for testing. I heard Randa say we were going to test above the ash, within the ash, and then below the ash. Does your grid include testing in the areas that we have previously established the ash to be at a depth of 22 feet?

MS. CHICHAKLI: The sampling actually was not set up in a grid. It was biased sampling, which means that we did take the old information and use it to best place our samples to best characterize the site. So we do have in the work plan there's -- and I see you have a copy of it. In one of the diagrams there's actually lines that show the different depths of ash that are there. So we know that in some area it's a few inches thick and some areas it's a few feet thick. So we do take that into consideration in how deep we're going to have to go.

MS. ANDREWS: Then again my question is, which results, previous results, are you using and are you going to be testing in the areas that we have previously established the ash to be at a depth of 22 feet?

MS. CHICHAKLI: We're using the other

results from 1995.

MS. ANDREWS: Would you give the specific names of the tests, please.

MS. CHICHAKLI: Yes. I don't know them offhand. They're in the work plan on the diagram which you have. So if you don't mind, I can read them off for you.

MS. ANDREWS: And while you're doing that, Joanne, what made the PRPs or the principally responsible parties, go from being recalcitrant in 1996 to so cooperative in 1999 to the point that we have ceased our advocacy to establish the sites as National Priorities Listings?

MS. BENANTE: To answer the first part of the question, I think probably the city would be the best ones to answer that. I would like to think that the reason why they're more cooperative now is because big EPA is here. And we scared them a little bit. I don't know, but I like to think it was us that got them going on the site. What was the second part of your question?

MS. ANDREWS: The second part of that question is, which standards will we be using, federal EPA standards or the stricter standards that have been established by the state of Florida?

MS. BENANTE: Okay, you're talking about the cleanup standards specifically for arsenic?

MR. ANDREWS: Not only for arsenic.

MS. BENANTE: And others. I'm going to let the city respond to that one, because I think that will alleviate the concern.

MS. ANDREWS: Then you'll answer the second part?

MS. BENANTE: Yes.

MS. LAQUIDARA: She's a little taller than me. I'm Cindy Laquidara with the City of Jacksonville, Office of General Counsel. And after I joined the city, I got a call from the mayor's chief of staff who said that she had heard that we had some issues with ash. And she had heard that from Washington's EPA at some conference. And she was unaware of that and she asked me to look into it.

I checked with the environmental attorney in our office. He was having a meeting with Ms. Benante, and so I invited myself. I went into the meeting, and they did scare me. They sat down. Mr. Alfano was there and we had the maps out. And our people were arguing that we had done enough testing and they were arguing that we had not.

So we stepped outside and said we're going to do what EPA is telling us to do. They're experts on this. And we did it. My directions from the mayor was for me to work with EPA and get it done, and that's where we are. That's why we signed an AOC as opposed to arguing over it.

On the second point, we're willing to avoid the issue between EPA and DEP on what is binding. And we are going to use the DEP standards. We prepared a draft of a letter to that effect to give to COEJ. And I'm just doing the final review on that. And North Riverside group has specifically requested that and pushed us on that. And I've heard back from their counsel today on a draft letter, so we will be circulating that. That's one which goes directly from the city to the community groups and grants you standing as if the state rules were in effect. All right?

MS. ANDREWS: Okay. One more question for you. There is a rumor in the community that the General Counsel's Office has given an opinion to the Duval County School Board that the school, Mary McLeod Bethune Elementary, should be kept open and not closed. Closing it, I hear, would set a legal precedent and an admission of guilt.

MS. LAQUIDARA: Let me go ahead and clarify one thing. And that is that the Duval County School Board is firmly in charge of their schools, and they push us for legal advice. Absolutely not am I going to sit here and convey to you any conversations I've had with the school board. Those are on the record at the school board meetings. If there's an issue about closing that school, it will be addressed and has been addressed one time by the school board.

As you know, Counsel Member Jimmie Johnson and Counsel Member Gwen Gibbs have kept that issue alive. And it is in front -- it still is within the body of the school board.

But to say that they've been told not to -- or have made a final decision, no. They're basing it on the evidence they have to date and which they were advised that there was no need to close that for the imminent health risks.

Councilwoman Brown raised some issues at the last meeting. Those are being reviewed right now. So that's an issue that the school board members, your elected officials, will carry on further.

MS. ANDREWS: So are you saying there has

not been an opinion issued that the school should not be closed?

MS. LAQUIDARA: I'm not going to get into that with you, Sheila. I have not --

MS. ANDREWS: Are you telling us it's not public knowledge?

MS. LAQUIDARA: I have not written an opinion to that effect, and so I don't know what 35 other attorneys have done before me. So I'm telling you here today, do they have to legally close that school? No. Are they considering Congresswoman Brown's comments? Of course.

And here's school board member Gwen Gibson. I certainly haven't authored such a letter, and I'm not going to go in there and push school board members around.

MS. ANDREWS: And there is a letter forthcoming that you're going to use the stricter state of Florida standards, you're saying, instead of the --

MS. LAQUIDARA: There's a letter, and that will go to -- it's going to each of the community groups. And Ms. Tunsill has pushed me on that at previous meetings. She raised that at the original meeting called by Corrine Brown. And it's a

delicate subject, but we do have something in draft. I ran it by Reese, because their environmental attorneys are very familiar with that. And they had offered to take the lead. They're aggressive environmental attorneys. I thought that was a good thing. I've just gotten some comments back from them today. As soon as we have an agreement between the attorneys, then it will go out to each of the community groups to see if it's acceptable.

MS. ANDREWS: Thank you, Cindy. Randa?

Since there is some debate at issue whether or not the information exists that will justify closure of the school, could you show us on your test grid what areas at the school you will be testing in order to reach some final resolution about closure of the school and any health risk therefrom.

MS. CHICHAKLI: This goes a little back to my presentation that showed the old sampling locations and the new sampling locations. And the old sampling locations come from the 1995 contamination assessment report, the 1996 EMCON report, and the 1997 expanded site investigation.

Everywhere that there is a dot there either was a sample or there will be a sample during

this remedial investigation. I believe -- and this is in the work plan. And all of the samples are labeled by when they were taken and/or when they will be taken. And as I said before, we will have a very well sampled area.

MS. ANDREWS: Would you point out the school on that map, please.

MS. CHICHAKLI: (Indicating)

MS. ANDREWS: Okay. And what samples will be taken at the school? Could you show us? There's approximately 11 acres. Can you show us where those are -- 14 acres. Where are they?

MS. CHICHAKLI: The yellow ones that are on the school property that you see.

MS. ANDREWS: Those are the only samples that you're planning to take in addition to the data you already have?

MS. CHICHAKLI: Yes, because when you combine it with the data that we already have, we have a very good picture of what's on the school.

MS. ANDREWS: Oh, I know we have a very good picture of what's there. However, you're stating that -- Ms. Laquidara just stated that the data is not before us that would justify closure of the school.

MS. CHICHAKLI: Well, I think that's a different question than you're asking. We are going to test the school. And we do have results from the school. Your question is whether those results warrant closing the school or not, which --

MS. ANDREWS: Would you point out specifically where is the portion where the ash goes to a depth of 22 feet?

MS. CHICHAKLI: That I can't point out for you right now.

MS. ANDREWS: Also where is the portion where the lead is in excess of 78,000 parts per million? And the standard for children is 400.

MR. HOOKER: I'm going to ask you to allow some other folks --

MS. ANDREWS: I'm going to allow someone else come. I would like to have that question answered. She just said that we don't have the data that would allow justification of the closure of the school. If that data is not before us, then we should be testing to get that data and verify that the lead is in fact at a depth of 22 feet and that the lead also exceeds 78,000 parts per million. Which is how many times do you think that is if the standard is 400 parts per million?

MS. CHICHAKLI: I'm sorry, Sheila, but I haven't gotten back to what was your question exactly?

MS. ANDREWS: My question is, are we testing -- do we need additional testing to justify closure of the school?

MS. CHICHAKLI: I think I've addressed that. The testing is for the remedial investigation and the issue of closing the school would be based on those results, which decision has already been made.

MS. BENANTE: I just want to point out, Randa, I think, went over it earlier. Every time we get new data, we will send it to ATSDR and they will analyze it. So if any new data comes along and we find there is an emergency threat, and ATSDR says the school needs to be closed or whatever, actions will be taken at that time. So it will be evaluated as each bit of data comes in.

MS. CHICHAKLI: I think that what your question is though that the old data has already been evaluated by ATSDR and that recommendation has not been made to close the school based on those results.

MS. ANDREWS: However, some

recommendations were made by Mr. Bob Safay and Congresswoman Brown's office, and he recommended that a study be done of the runoff. Is that not correct, Mr. Safay? And that's my last question. If we don't have that data, let's make sure we get the data and the school is closed.

MS. SAFAY: My name is Bob Safay. I'm with the Agency for Toxic Substances and Disease Registry. Can everybody hear me? I hope.

And you are right. When I went out to the school yard, I did see what appeared to be some runoff from the corner of the fence line. And my recommendation at that time was to possibly, possibly go in and recontour that land so it wouldn't run off, to test that little area right over there to make sure that nothing is coming down.

I also made recommendations about keeping the grass cut high, of not cutting the grass on windy days. I made recommendations that the maintenance people that are cutting the grass wear a dust mask.

Now, I want to also emphasize that I would make that same recommendation on any soil because of dust getting into the lungs of the equipment operator.

I also made the recommendation that you don't have to wait until the city inspector comes and looks at that fence. If you work at the school or live there see children getting in that area, see children climbing that fence, please take the opportunity as citizens to report it.

MS. ANDREWS: Thank you. And have those recommendations been implemented by any members of the Duval County School Board? Mr. Ackerman?

I understand that previously you had not received these recommendations. Are you now aware of what he has recommended? And thank so you much for your time.

MR. ACKERMAN: We have heard discussions about the recommendations that Mr. Safay might have discussed with Ms. Brown out on the site. We have not seen those recommendations in writing. There are several of those things that have been looked into. We do not see an exposure issue right now based on the surficial soils that have been placed on the site. The soils at the surface do not contain the lead and, therefore, no additional precautions have been taken over and above that which was previously in effect.

MS. GIBSON: Gwen Gibson, Duval County

School Board. I was at the meeting in regards to those recommendations at Corrine's office, so those recommendations were passed on to the staff.

And one other recommendation that I think is very important to the community was the signage. There was a recommendation that the signs be clearly marked as danger where currently they're not.

VOICE: We can't hear back here.

MS. GIBSON: I was just commenting that I was at the meeting in Corrine Brown's office, Congresswoman, and those recommendations were made in that meeting. But one other one was the signage, that there be better signs out there for the community.

But my question -- I'm Gwen Gibson, Duval County School Board. I'm looking at the chart here. And since this is a community meeting I think it's very important that the community understands the documents that are being given out. And I just need some clarification so that the community will understand the Superfund process.

In your presentation you indicated a date of April 2000 starting the testing. Then you indicated a September 2000 date for a draft of the remedial. What would be the date of the final? And

let me complete all of this. Then there's an indication of a January of 2001 indicating also a draft of the feasibility study. What would be the date of the final feasibility study?

And if you look at this chart, in between here there's something called risk assessment that you did not discuss. And risk assessment goes to the human health risk assessment. Was there some reason why that was not discussed? And I just wanted for the community to be able to understand this total process.

MS. BENANTE: Thank you. Good question.

MS. CHICHAKLI: The draft is -- as you said, the draft is due, the draft of remedial investigation report is due September 2000. And the final is due 75 days after that, which turns out to be three months -- help me with my math. A little less than three months, two and a half months. So that's September, October, November, December.

And that time period is for the remedial investigation to come to EPA, for it to be given out to our peer review team, which includes all of our technical people, the Florida Department of Environmental Protection, Citizens Organized for Environmental Justice. Gives everybody at least 30

days to look at the report and give us comments and have the comments be submitted to us, to me, and then a final revision letter, revision letter, given back to the PRPs. And then they need time to revise it based on those comments. So that's what that time is.

And the same thing for the feasibility study. It's due in January, the draft, and final is due in March.

The other question, the risk assessment. The risk assessment, the human health risk assessment and ecological risk assessment, are going to be done by EPA using the data that the PRPs produced during this remedial investigation. And they will be turned in in conjunction with the remedial investigation.

So a draft human health risk assessment will be turned in about the same time as the draft remedial investigation report. Same as the ecological risk assessment. And that will also be put to review for the Florida Department of Environmental Protection and Citizens Organized for Environmental Justice.

Did that answer your question?

MR. TUNSILL: My name is Lawrence Tunsill

with COEJ, Citizens Organized for Environmental Justice. And one of the reasons that COEJ has a problem with this process is the fact, and one of the more egregious things that EPA has done, is to allow the children at Mary McLeod Bethune to continue to be exposed to the poisons out there in conjunction with the City of Jacksonville and the school board.

Had there been a different designation for the site in 1985, I think that we would be further along because at least the public would have known about the contaminants that we were being exposed to.

Now, my question is at Mary McLeod Bethune of all the borings that have been taken in the past, have you -- what percentage of them were above the screening level for just lead alone? And I want to bear in mind that lead is just one of the contaminants that's contained within the soil at Mary McLeod Bethune. There are typically about 128 contaminants in a site like this. And lead might very well be not even the most dangerous one out there, but for the sake of discussion, what percentage of the borings that were taken at the Mary McLeod Bethune 14-acre site came up under 400

parts per million for lead?

MS. CHICHAKLI: I can't tell you right now what the percentage is, but I can look it up for you when I get back. But I can tell you many of them were above the 400 level for lead. And that's the reason that we have the fence installed. That's the reason that we recommend the temporary cover to stop that contact with soils that have lead at that level. But as for an exact percentage, I can't tell you that right now, but I can look for it for you.

MR. TUNSILL: Okay. Between 1980 -- 1980 was when the Superfund came on board, right?

MS. CHICHAKLI: Uh-huh (affirmative).

MR. TUNSILL: Between 1980 and 1986, as you well know, there were at least 3,000 sites in the United States that were deemed Superfund.

MS. CHICHAKLI: That were discovered.

MR. TUNSILL: Right.

MS. CHICHAKLI: They weren't -- yes, that were discovered and were being addressed under the Superfund law.

MR. TUNSILL: Exactly.

MS. CHICHAKLI: Yes. Brown's Dump was one of them.

MR. TUNSILL: Are you prepared -- no, no,

between '80 and '86.

MS. CHICHAKLI: Yes, Brown's Dump is on that list that I sent you.

MR. TUNSILL: We were not Superfund in '86. The only sites that I'm interested in are the ones that were deemed Superfund prior to Brown's Dump.

MS. CHICHAKLI: Let me explain a little the difference between Superfund and NPL.

MR. TUNSILL: I know the difference.

MS. CHICHAKLI: Okay, but not everybody might, so let me just clarify it real quick.

MR. TUNSILL: Okay.

MS. CHICHAKLI: Superfund is another word for the law, the CERCLA law that we were talking about. And when we address the site based on that law, we call it a Superfund site. We call it a National Priorities List site if it is actually on the list, which this Brown's Dump Site is not. We are treating it as the same caliber as an NPL site, and we are addressing it under the Superfund law. So all of the sites are Superfund sites.

Now, the list that you asked me for that I just sent you last week was for all the sites that had been discovered between 1980 and 1986, which

means Superfund. Does not mean National Priorities List. A site is discovered long before it's ever put on the National Priorities List.

MR. TUNSILL: Let me go back to my original question. You've answered that portion for me. The 3,000-plus sites that you sent me were on the Superfund list, right, between '80 and '86?

MS. CHICHAKLI: Were not on the National Priorities List.

MR. TUNSILL: I did not say anything about the National Priorities List. I said Superfund.

MS. CHICHAKLI: Yes.

MR. TUNSILL: Are you prepared -- I want you to go on record as telling me that those 3,000 sites were more contaminated than Brown's Dump?

MS. CHICHAKLI: I can't tell you that.

MR. TUNSILL: You must be able to tell me that because you gave Brown's Dump a low priority rating in 1985 because it did not meet a certain criteria. But you had 3,000 sites between 1980 and '86 that did. And I'm here to tell you tonight that I can go into those 3,000 sites and no question about it --

MS. CHICHAKLI: Brown's Dump is on there.

MR. TUNSILL: I can go into the 3,000

sites that were Superfund and I can show you where Brown's Dump is twice as contaminated than at least 90 percent of them.

MS. CHICHAKLI: I understand.

MR. TUNSILL: You see the point I'm taking?

MS. CHICHAKLI: Yes, I do.

MR. TUNSILL: That means that we were given low priority not because of science, do you get my point?

MS. CHICHAKLI: Yes, but I don't agree with it, unfortunately.

MR. TUNSILL: You must agree with it because there's no way out. Why did you put the other ones on there?

MS. CHICHAKLI: Can I respond?

MR. TUNSILL: Go ahead.

MS. CHICHAKLI: Thank you. That list, Brown's Dump is on that list.

MR. TUNSILL: But it shouldn't have been.

MS. CHICHAKLI: Can I finish, please?

MR. TUNSILL: Yes.

MS. CHICHAKLI: Thank you. Brown's Dump is on that list because it was discovered in 1985. And samples were taken at the site and it was put

through our hazardous ranking package, which is the way that we rank whether or not a site is a high or a low priority, as you brought up. It scored as a low priority based on science, based on the way that our ranking system was developed at that time.

We revised our ranking system in the mid-'90s because there were faults with it. And all of the sites that received a low priority ranking were reevaluated with the new system in the mid-'90s.

The system was at fault which is why it was revised, and Brown's Dump came up as a high priority site with using the same --

MR. TUNSILL: Somehow --

MS. CHICHAKLI: One minute, please. Thank you. It came up as a high priority site using the same data because this is why it needed to be revised because it didn't catch all the sites. And once it was given a high priority with the new system, action started immediately on the site.

MR. TUNSILL: Why is Brown's Dump on the list you sent me? I asked for the sites that were placed on the Superfund list.

MS. CHICHAKLI: They were.

MR. TUNSILL: Brown's Dump --

MS. CHICHAKLI: Low priority and high priority are both put on the Superfund list. Both low priority and high priority sites. They never go away unless they are deleted or no further action.

MR. TUNSILL: Brown's Dump was not on the Superfund list in 1986 or '85.

MS. CHICHAKLI: It was on the list that I sent you.

MR. TUNSILL: It was on the list you sent me, but it was not a Superfund site. Now you're double talking.

MS. BENANTE: No, no.

MS. CHICHAKLI: I really don't think I am.

MR. TUNSILL: Brown's Dump was not Superfund.

MS. CHICHAKLI: It was as a low priority site. It was on the list.

MR. TUNSILL: We have data in several places that says it was not.

MS. BENANTE: It was not on the NPL.

MR. TUNSILL: No, we know that. It was not Superfund either.

MS. BENANTE: Yes, it was.

MR. HOOKER: Wait a minute.

MR. ELLIOTT: Are other people confused

about what the difference is between Superfund and NPL?

MR. TUNSILL: There is not any confusion here, sir. Now, I'm not going to allow this. It was not Superfund. I'm not confused about the difference. It wasn't Superfund in '85.

MS. CHICHAKLI: Yes, it was.

MS. TUNSILL: No, it wasn't, Randa.

MR. TUNSILL: Randa, it was not -- well, if it was Superfund in '85, how come you didn't do anything about it or let us know about it?

MS. BENANTE: It was low priority.

MS. CHICHAKLI: It was low priority Superfund.

MS. BENANTE: I just wanted to talk about, just for everybody in the room, about NPL versus Superfund list. The Superfund list -- we also call it CERCLA -- has a lot of sites on it. If, for example, there was a number of drums -- someone called in and said there was four drums on the side of the road or if there was a train wreck and EPA or the state responded to that, the site would get on the Superfund list.

There are a lot of different sites that get on the Superfund or CERCLA list. And they go

through a pathway for cleanup. They may go to our emergency response and removal branch. If, for example, there is a train wreck and there's a diesel spill or a chemical spill, chlorine spill. Then the responders, the emergency responders, will go and -- it will get on the Superfund list, and our emergency responders will go and clean up that site. And it stays on that Superfund list.

If a community member calls and says there was a landfill around the corner and the state went out and investigated that landfill, it got on the Superfund list. And we go through these investigations.

Now, there may have been some point where someone looked at that landfill and said, well, it's not really a risk, so we're going to say no further action is necessary. And we call that a NFAIS, no further action is necessary on that site. But it will stay on the list, but it will have a designation of saying no further action.

We also may go out and look at a site and say, okay, this is a low priority. This is a high priority. And then there is what we call the ultimate, whether the risks are so bad and the score is above a 28.5, we put this really long package

together -- we talked about the NPL listing and putting the package together. If it scores above 28.5, then the site becomes an NPL site.

On the Brown's Dump, it did get on that CERCLA list. It was on that CERCLA list in 1985. And it went through the process and we scored it using this big mathematical formula which had flaws in it. And it didn't rank above the 28.5.

Someone up in D.C. realized there were a lot of sites like that out there where there was a risk, what we call a direct contact risk. Risk to touching the soil that for some reason didn't rank those sites high enough but they should have been ranked high enough. So they went back and revised the entire system and these mathematical formulas.

As Randa said, then we had the job of going back to all of those sites that we said were low priority and reranking them with the new system. When we did that, the score went way up above 28.5 as it should have in the first place. And that's why we came in in 1995 and tried to get this site going and cleaned up.

There was flaws in the system, yes, and EPA nationwide realized that. And there are probably still flaws in the system, but we're trying

our best to get this site cleaned up.

And I just want to say just to be clear, you know, we didn't put the contamination there as you know. There are other agencies that have tried to clean up this site in the past. We've been involved since 1995. And we are trying our best to clean up this site and do what Congress has asked us to do with these sites. So please be aware that sometimes there are standards and rules and laws that you have to follow. We try our best, like I say, with the TAP to do the most innovative stuff. We also have to follow the regulations and the laws too. And sometimes you may not like them, but our lawyers in our D.C. office, you know, sometimes they don't allow us to do it.

Just so you're aware, there are a lot of sites on the CERCLA Superfund list. That doesn't mean all of those sites necessarily have a risk. They may have been cleaned up. They may have been put in no further action. They may have been designated as low priority or high priority. Brown's Dump Site was on that Superfund list, but now it's given high priority.

MR. SAID: My name is Darrell Said, and I'm the technical adviser. And I just want to

revisit a question about sampling that you raised. And on your overlays where you had your 1994-1995 sampling machine, was that a site characterization, you know? What was sampled for on those sites?

MS. CHICHAKLI: It varied. In '95 and '96, some of them were visual soil samples where they just checked to see visually if there was ash. Some of them were just lead. And then the 1997 which EPA did were for full metals, full organics, full pesticides, and dioxins and furans. So there's a mixture on there. That's why all the sheets were different because some signify visual, some signify the full gamut of all contaminants. It varies.

MR. SAID: I think that the question is since the sampling is going to be most important and crucial in the record of decision that there appears not to be enough sample spots on the school premises itself. And according to the ecological risk assessment that just was finalized --

MS. CHICHAKLI: The screening was finalized.

MR. SAID: Okay, the screening was finalized, that there were some spots, some areas along Moncrief Creek that seemed to be selectively sampled and they were not sampled where there were

potentially high areas of contamination, those areas of deposition. And I didn't really see there those samples being resampled.

MS. CHICHAKLI: You're right. They have not been adjusted. They're going to be addressed in the Moncrief Creek addition to the work plan which hasn't come out yet. That was one of the things that we found as lacking in the screening that we did for the ecological risk assessment that just as you said they didn't sample in the places where the contaminants would be deposited. And that's going to go in -- the city and CH2M Hill have that document and are using it to develop that screening -- or, I'm sorry, that sampling plan for Moncrief Creek. That's why it's coming at a different time because we wanted them to have this screen.

MR. SAID: That's the basis of my question then about the school area being resampled in that we wanted to avoid any other further bias in the sampling system we get so we're able to make the right decision.

MS. CHICHAKLI: We are biasing the samples though, just as we're biasing them in the creek to the depositional areas so that we are sure that we're getting the high hits. And that's how we're

biasing -- these samples are not taken on a grid. These are biased samples that are meant because we have so much data from the past, they're meant to capture the worse case scenario.

MR. SAID: What reason is it that we're not going to resample the school area and just go on the historical data that has been developed?

MS. CHICHAKLI: There are some samples on the school area from the remedial investigation. We took a lot of samples on the school area during the expanded site investigation the EPA did in 1998 where we sampled for all of the contaminants, metals and pesticides and organics, everything, and dioxins. So we have a lot of data that covers the full gamut of everything on the school property, which is one reason why there's fewer there.

MR. SAID: So it's going to be apples and apples. In other words, it's going to be those samples that were taken previously, we're taking at the same rigors that these samples are going to be taken at?

MS. CHICHAKLI: Some of them were from the ESI, but like I said there were some --

MR. SAID: That were visual.

MS. CHICHAKLI: There were some that were

visual. And those were to give -- that's where we got a picture of where this extent is, where we think the boundaries are, which is why, as you can see there are more samples on the outer ring because we don't have as much analytical data. So it's biased in the sense that we're filling in all the holes.

MS. BENANTE: We know it's dirty. There's no reason to resample there. We want to find where the extent is, where that dirty/clean line is.

MS. CHICHAKLI: We know the school is dirty.

MS. BENANTE: If we know it's dirty, why are we going to sample it again for?

MS. CHICHAKLI: We know that there's contamination there.

MS. ANDREWS: And we know there's a contamination risk at the school; is that correct? Then why don't you just stand up here and say we did not have adequate data to close the school? That we did not have adequate data to show that there was an imminent risk from the contamination at the school if we know for a fact that we already have previous sampling showing that contamination exists from the surface to a depth of 22 feet? I mean which

scientist do we need here? Tell me. Answer?

Is this a scientific game or is this some legal game? Are we going to play with our babies' lives forever because they're black? Not you, sir. Because they're black? It has to come down to that, I'm sorry.

I have talked to everybody. I've been at the mayor's dump meetings. I've been to meetings at Corrine Brown's office. I've visited with Bob Safay. Dr. Safay has said for a fact: Mow the grass high. Never have the children out while you are mowing the grass. We have pictures of the children taking PE while the grass is being mowed adjacent to the fence.

I mean, how much more do you need?

MR. SAID: That's why I want to revisit this so we get this clear. And also the question about the posity of groundwater samples. You know, I mean groundwater samples are -- I don't think -- was it six, they're going to add maybe four more?

MR. ELLIOTT: They're having trouble hearing you behind.

MR. SAID: Talking about the groundwater samples. There's not many sample spots for groundwater. So I don't know whether to address it

to Norm Hatch? Or you'll be doing the sampling, groundwater sampling?

MS. CHICHAKLI: I can go ahead and address now. Norm may want to get into some more specifics if you still have more questions. There's six new monitoring well locations proposed. And so those are six new ones they're going to install. They're also doing a -- they're looking at all the existing monitoring wells to see which ones we can sample, which ones are in good enough shape to sample.

The groundwater strategy during this remedial investigation is to test these wells and if we don't find any contamination, then that's fine. If we do find contamination, then we will install more wells to find the edge of the contamination. There are definitely two tasks in the groundwater strategy. Six wells is not the end. If we find contamination, we'll keep going. And that's written in the work plan.

MR. SAID: Thank you.

MS. BARNUM: My name is Eunice Barnum. And I want to ask since you-all are dealing with lead in your tests and your bits of information, depending on who you hear it from, what you believe, I'm asking who is keeping a record of the number of

people dying and becoming ill at these sites? Who is keeping that record? And who is dealing with that number? And who is bothering with deaths? And when you go to the doctor and they don't have a clue when you mention that you live on top of a toxic site, and they're looking at you like you escaped from Macclenny; and they don't have a clue. They're testing you and don't know what to test you for.

I want to know who want to address that with me? Who will give me some answers when my grandchildren are ill, my mother is ill. People around me are falling dead. Why you-all are playing this whatever game you're playing. But it's real lives being affected here. And I want to know who is dealing with the issue concerning illnesses and deaths? Who can address that?

MR. HOOKER: Somebody from the department of health want to?

DR. GOLDHAGEN: That's a very difficult question to answer. But it's probably the most important one. It's a very critical one. The first issue that we've begun to look at is the issue of cancer, because that is one that is clearly definable. There's a cancer registry. We can identify most cases that a person dies from cancer.

It is reported on the death certificate and it goes onto -- it goes into a cancer registry.

We started that process to look to see whether or not in fact there seems to be an increased death rate from cancer. Dr. Bozeman, Liz Bozeman, who is sitting back here, has initiated that study.

At this point in time based on the data that we have, we have not yet been able to identify an increased death rate from cancer in this community. Now, that is not the definitive finding. The folks from EPA and others can corroborate the fact that its very, very difficult to establish a cause and effect relationship between increased death rates from cancer in a community.

Now, there are a few studies that are in a country that have shown that, but it doesn't -- it's not an easy -- it's not easy to define. So we are continuing that process.

Now, other kinds of illnesses are much less tangible. They're much more diffuse. It's very difficult to identify an increased rate, as an example, for other immune problems and that sort of thing. We will continue to try to identify those relationships, but they're very, very difficult.

MS. BARNUM: Dr. Goldhagen, I'm confused, okay. Because you cannot determine the cause of death when you are not testing the people and the chemicals that they have been exposed to. For you to know that I died of a related condition, then you first have to test me for all the 128 chemicals that I may have been exposed to and see if I meet or exhibit any of those symptoms.

When people are breaking out in rashes -- I've been in 101 meetings, and they're telling me rashes, metabolic problems, cancer, diabetes. I mean, if you're not testing these people for this type of stuff, then how are you going to give an answer for something you have not tested?

DR. GOLDHAGEN: That's a very good question. Most of the types of metabolites, the chemicals that get into the body, there isn't a very easily discrete way of testing for that. The one that there is a very discrete way of testing is for lead, which we have very arduously and rigorously tested year after year after year for children, for lead in children.

We can tell you now very specifically that there is not an increased incidence of lead poisoning for children in the community and who go

to the school for lead. That's the easy one.

We can work backwards for cancer and identify if there's an increased risk for cancer in the community by looking at death rates. That is not as easy as lead. We have done that, our first set of studies, and that doesn't appear to be so; but you are correct. If there was an easy way of looking for metabolites across a community, we would have done that.

Do we need to take the next step? I wouldn't disagree with you to say that in the future as we move forward there may be some other studies that we need to do while we look for increased rates of diabetes, increased rates of cancer, increased rates of lead poisoning, the ones that we can identify.

MS. BARNUM: I want to know are you aware that within the community that whether you decide to call it Superfund or not Superfund, but are you aware as a doctor that there are people who were up, live and well like we are right now and was out digging in the yard and woke up the next morning crippled and maimed, real ill, don't have a clue what's happening to them. Are you aware that that type of stuff is occurring in these toxic sites?

DR. GOLDHAGEN: I am not aware that people are well one day, digging another day, and actually bedridden the following day. However, if that in fact is occurring, we will in fact try to identify those folks and see if there is a relationship.

Those types of relationships have not come to our attention at this point.

MR. HILLIARD: I wanted to also address that question. I'm Aaron Hilliard with the Duval County Health Department. Most of these contaminants that we see in the environment are basically contaminants that cause illnesses over a long period of time, meaning chronic exposure. Most -- in an acute exposure where you're saying someone walks outside, they would have to be exposed to a very extremely large concentration of a contaminant to be affected by it in that point.

But it is possible if someone has been exposed to a contaminant over a long range of time, that they can develop, you know, symptoms associated with that particular contaminant. But in this particular instance, because we have so many other environmental health effects, whether it's from your diet or whether it's from exposure to UV light or at your job from occupational exposure, there are many

ways that you can be exposed to different chemicals.

So you can't have a direct association with the environment or the soil unless someone comes into contact with it, because you have contaminants present in the environment, but if you're not exposed to them or come in contact with them, then you don't develop any disease or symptoms from them.

So based on past experience, not here just in the Duval County area, we have contaminants all over the United States. And that's just based on past practices where we went out in our backyards, we took our municipal waste, we burned it. As we burned it, we produce contaminants that are now in the air, in our soil, and we have no way to basically track how you were exposed to those contaminants.

You could have exposed yourself in some instances to contaminants that you wasn't aware about, but now what we're trying, since we have information --

MS. BARNUM: Where would I have gotten it?

MR. HILLIARD: I'm just saying, for example, if you went in your backyard when you

barbecue. When you barbecue, when you go out and barbecue on a grill, you cook ribs, chicken, you're producing a contaminant that is basically benzo(a)pyrene, a potential carcinogenic compound.

MS. BARNUM: Is it arsenic?

MR. HILLIARD: No, not arsenic. I said benzo(a)pyrene, which is a semivolatile contaminant that is found and produced when you barbecue basically in your backyards. So we cannot associate in a great deal of what you've been exposed to say from the environment or a contaminant.

If you wanted us -- the question that was addressed to Dr. Goldhagen, for instance. If we --

MS. BARNUM: You said you cannot address it because you can't say that it doesn't exist. So you're right. You don't know that it does or does not exist.

MR. HILLIARD: I'm saying it's produced in many different ways, so it's very difficult for us to associate whether it's from the soil or from some daily habit that anyone in the community may have.

MS. BARNUM: You can't say that it is not from direct contact with the soil. Can you give me a reassurance that it is not from that?

MR. HILLIARD: I can assure you that if

you're not in contact with the soil or these compounds --

MS. BARNUM: I live on it. Walk on it.

MR. HILLIARD: Not, but I'm saying if you don't physically get in the soil and roll around in it where it contacts and can be absorbed into your skin, then you're not being exposed unless you're inhaling it or in some other form.

MS. BARNUM: If I dig four feet deep on my property and turn up the soil, can you tell me whether or not 32208 is supposed to be listed in the toxic waste site?

MR. HILLIARD: I'll refer that to EPA because I really don't understand it.

MS. ANDREWS: She's saying that a pathway was established because the soil was aerated.

MR. HILLIARD: Depending on the contaminant. Some of the contaminants are very heavy so they won't be aerosolized. And in the case of metals such as lead is usually a very heavy metal, so there's not a great potential for this compound to be aerosolized. But there's other contaminants that possibly could be aerosolized.

MS. ANDREWS: When they're aerosolized, then when you inhale them, then you have increased

your susceptibility to a possible contamination; is that correct?

MS. TUNSILL: Mr. Fitzsimmons, do you have that aerial view of Brown's Dump with you that I asked you to bring?

MS. CHICHAKLI: I have it, Nellie.

MS. TUNSILL: No, I want to see the one that Mr. Fitzsimmons has. Let me see that, Mr. Fitzsimmons. Is that the same one I saw in your office?

MR. FITZSIMMONS: Yes, but I believe it's the same one that EPA has.

MS. CHICHAKLI: Yes, because I gave it to him.

MS. TUNSILL: In order for us to get a real picture of the contamination, then we will have to know or at least be brought up to date on the information that we now have that we didn't know about until maybe a week or so ago. We were in the office of the DEP and we saw this aerial photo of Brown's Dump. And I was astounded, because instead of being the 50 acres that was talked about from the beginning of this informational thing, we now see that this is an 89-acre site, no longer 50. And I think you did address that in some of the comments

you sent us. But tonight I want the people to know that instead of 50 acres, it's now 89 acres.

And the boundary that you showed on your fact sheet, now why isn't this boundary updated to show the new aerial photo?

MS. CHICHAKLI: Yes, I brought this because I wanted to actually speak with you and Mr. Tunsill about this before the meeting, because I think it's just a miscommunication. There's two boundaries on this picture. And the irregular-shaped one is the same one that's in your fact sheet, because that's considered the site area. And that's considered to be where the ash is. And if you look throughout the photographic analysis, it shows that -- you can see the dumping activity, and it's all within that line. This box around it is simply a reference area that the photographs use. It has nothing to do with any extent of ash.

And the area inside the irregularly shaped -- the irregular shape is 89 acres, which is what I put in the work plan. I changed it from 50 because I think that was just a computation difference.

But the boundaries, I think the key thing to remember here is that the boundaries are the same. From this report and in the work plan, we're

all looking at the same picture. We're all looking at the same streets as being the boundary of the ash, the estimated boundary of the ash which we're going to confirm.

MS. TUNSILL: Okay. Now, the estimated boundary of the ash --

MS. CHICHAKLI: Which is in your handout.

MS. TUNSILL: -- is it 89 acres or 50 acres?

MS. CHICHAKLI: 89. And I changed that in the work plan, yes.

MS. TUNSILL: Thank you. Okay. But now on this thing here you're still showing the boundaries to be at perhaps -- and this is the way it's been ever since I've been looking at it -- to be at 30th Street, when in essence it goes to 24th Street. And it goes to Myrtle Avenue. And this is what I've been discussing with DEP.

MS. CHICHAKLI: But these pictures go down to 30th Street and that's it.

MS. TUNSILL: The ones -- okay. But what I'm saying is how could the boundaries that we've been seeing since 1999 in the first Brown's Dump assessment, if the acres change doesn't the boundaries change?

MS. CHICHAKLI: I think it was just that

the 50-acre estimate was an incorrect estimate period. That was the only reason.

MS. BENANTE: Ms. Tunsill, can I explain one thing? And that's in the regulations we have a definition of what the site is. It's in the NCP, the National Contingency Plan, the Superfund law, how you define what a site is in the Superfund. Basically what it says is the site, the boundaries of the site, are the extent of the contamination. Now that can change over time.

Obviously we're going to go out there and do some sampling. If we find the extent of contamination is beyond what's diagrammed here or what's diagrammed in your fact sheet or what's diagrammed in the ROI, if we find it's beyond that line, then the site, the extent of the site, will go beyond that line. We'll go out further and further until we find the edge of the contamination. The edge of the contamination will define the site. So it may change over time. Okay?

MS. TUNSILL: All right. Now, we haven't seen the final work plan yet. Where is it? And I hear you're going to start testing Monday, and it hasn't been seen by RTA.

MS. CHICHAKLI: The revision page, I cc'd

the Citizens Organized for EJ as well as Dr. Said on the letter that I sent to the city and the CH2M Hill saying that we conditionally approved a revision of the work plan as long as it includes the attached changes. And the city has agreed to include those changes. The revision pages have not come yet. But you have everything that I've sent them, and so indeed you do actually have the revised work plan because it's going to be -- the copy you have with the changes that I've required.

MS. TUNSILL: Okay. Back I think sometime last year, this was after the AOC was signed, there was dredging and excavation of soil going on in Moncrief Creek. This is after the AOC was signed. So my question is regarding Moncrief Creek, how can we get true samples from that area if you've already excavated mounds of dirt and dredged the creek? Because I think I talked to you about that that there was activity going on, and I thought that they weren't supposed to be out there but they were.

MR. HOOKER: I just want to -- she's still going to respond to it. I just want to acknowledge the fact that we are at 8:25. We had suggested the meeting was going to go until 8:30, but my understanding is that the EPA folks are willing to

continue to answer questions. So we're not disrespecting your time by keeping you here past 8:30. We just want to acknowledge that the meeting is supposed to be ending now but we're going to keep going for a while.

MS. TUNSILL: Thank you.

MS. CHICHAKLI: To address the dredging on Moncrief Creek, that came to light to EPA last year, late last year, that dredging was actually going on. And we spoke to the city about it and it stopped immediately. The material that was dredged off the creek was treated and -- tested for contaminants and treated as, you know, a hazardous or nonhazardous waste depending on what results came through.

So, yes, you're correct. The dredging stopped. It should not be happening and it stopped. We stopped it when we found out about it, and we will test the creek in this remedial investigation. So, yes, you're correct.

MS. TUNSILL: Okay. Are you doing a full scan of the site?

MS. CHICHAKLI: There's going to be a percentage of the samples that will be full scanned, which means that we test for all metals which are inorganic as well as all organics, pesticides,

dioxins.

MS. TUNSILL: All right. Now, you know, I don't want to belabor the point about old tests and all of that stuff, but from looking at the first Brown's Dump assessment and the expanded site investigation, everybody that seen it has seen it know that there is enough contamination there to kill us all over a period of time. So we won't talk about how dirty it is. It's dirty and you have your highlighted areas there that's -- it's full of highlighted areas. So we won't belabor that point since we have to go through this process.

My other question is, I'm still disturbed about the article that was in the paper on Sunday. And I know you came back and you said yes, relocation is part of the process and all of that. But I just would like for you-all to answer me this question, and that's Randa and Joanne. Why is it that it's hard for you-all to refrain from saying "cleanup" you know, cleanup to a certain level so it will be safe and all of that?

I mean, it seems to me still that you have it in your mind, you have a preconceived idea that this is going to be done at Brown's Dump. So just expound on that for me on a moment, please.

MS. CHICHAKLI: I think Joanne's put it very well earlier when she said that regardless of whether relocation is an option at this site, it will be cleaned up. The goal is to clean it up whether relocation happens or not. And I think that's expressed when we mentioned cleanup.

MR. HASAN: Good evening. My name is Bilal Hasan. I'm the home school "Community in Perspective" on WSBE. And we talk about this issue quite a bit on the program of late.

My question is quite simple, not going into scientific jargon. When you say you're going to clean up the area, you know, even if the residents -- if you don't decide there's no relocation process taking place, you're going to clean it up. And we are aware of gases seeping into buildings from under buildings and so forth, like you know, where you have radon gas that may be caused by something else. But you have gases that can seep through the foundations of structures.

Now, how can you clean up from under structures and under houses and so forth and so on? How can you do that? That's my question.

MS. BENANTE: As far as if we were to, for example, if the situation was we were not going to

relocate people permanently but we would do it temporarily. We would move them out of their house. And the main issue with the soil contamination is what we call direct contact. Can you touch soil? If you can't touch that soil, then there's no risk associated with it.

So if the contamination is in the soil in the yard of a particular house, and we go in there and we take -- and I'm not saying this is what we're going to do. I'm just giving you a scenario to answer your question.

If we were to take three feet of soil, we would go in a yard, front yard, we'd take three feet of soil and dispose of it properly and then come and backfill with three feet of clean soil, tested clean soil. You wouldn't necessarily go in under the house because there's no contact with the soil. If there is contact with soil under the house, then we'll go under there and clean it. But if it's on a slab per se, there's no contact with that soil underneath there so there's no reason to go and dig it up as long as it's covered over, then there's risk involved. Does that help answer your question, the gases question?

MR. HASAN: Not quite in light of, you

know, being around landfills where there are gases, you know, poisonous gases coming up out of landfills period, just a regular landfill. Being that there were transformers and other things various at Brown's Dump, what will stop the gases from coming up through the foundation of the houses there, the pours in the concrete and so forth and so on? And some houses are actually built, you know, up off the ground in those areas too. So that's my question. How can you clean up under there, you know, when gases -- how can you clean up gases?

MS. BENANTE: Right.

MR. ADAMS: My name is Glenn Adams. I'm with the EPA doing the human health risk assessment.

To address your question, your concern is valid for the contaminants that would cause a gas to come up through the house. The contaminants that we're aware of at this site, mainly lead, we know there will be other contaminants, these do not volatilize. So they would not be an issue. That comes with the direct contact is the only exposure.

That's why like putting the fence, if you keep somebody from coming across and touching the soil and incidentally ingesting the soil, you've removed that exposure, therefore eliminate that

risk. Now, if you take down the fence, tear down the house, then you've got, you know, an issue to look at again. But that's how most of the sites get cleaned up is removing the surface soil exposure.

VOICE: I'd like to know what's going to be done with the seniors who are living in houses that are below street level. When it rains, the water from the contaminated creek comes into their homes. The odors from the over -- when the plumbing -- whenever it overflows, whenever the street pump breaks down, the odors come. They get ingested with the odors. The odors are deteriorating their bodies. They're living there wondering what to do.

My mother went to city hall in '89, and they told her they were going to clean up. I received a letter recently saying that it was on hold because of the contaminations, but they did not tell her why they had not cleaned up.

So they're there now, ladies that have been driving their cars are now laying back in bed. They can't move. One lady went to a meeting that we had in July. In August I went to take my mother out to dinner. When we got back, the odor was so bad it just went all in my arms and hurt my arms. The lady on the street got out of her car and almost

passed out. She's now in bed and can't move.

So what are you going to do about these women that have spent 30 years in the flood? They've been getting out of windows because of the water running whenever it rains because they're afraid they're going to be locked in. Because what happens, when the water comes, they open that door and get out hurriedly. If they stay in there once that water comes, then they can't get out. The doors are jammed.

So they want to know what the city is going to do. Are they going to buy their houses? Are they going to find a house and put them in? What are they going to do to help them end the quality of their lives. The city says they love their seniors and they want what's best for their seniors.

But now the seniors are saying we've been down there and they haven't done anything for us. And some said I'm not going to the meeting tonight because the city has not done us right. So what are you going to do now with the seniors who have been struggling, asking the city for help? The city has been promising and nothing has been done.

MS. BENANTE: Could I just say something

real quick. It's a very interesting question. I think we heard a little bit about that at the last meeting. You know, as EPA we're not aware of that. And I'm going to ask the city to come up here to answer your question, and then we would like to talk to you afterwards to get more specifics from you about exactly what's going on and how it's associating with this site.

But I just want to bring one thing up at this point. You know, in the beginning we went around the room to let people know who was here from the different agencies, because it's very important to know who can handle certain things. For example, the health questions that come up, in EPA our job is to clean up the environment. We're -- I'm a geologist. Randa is an engineer. We don't know about medical conditions. That's why we wanted the department of health to be here to answer those questions.

Questions about flooding and what can be done to help the flooding are certainly questions that the city department of works should be able to answer. And I'm going to let them answer that at this point in time. I just wanted to bring up the fact that we brought a lot of people here because

EPA doesn't know the answers to all of these things. All of the governmental agencies and the community have to be involved in cleaning up this area and cleaning up this neighborhood.

But at this point I'd like to hand it over to the city to see if they can help answer that question for you. Thank you for bringing it up.

MS. LAQUIDARA: What I'll do is -- I'm Cindy Laquidara, and I'm a lawyer, not a drainage engineer, but I do understand that you have a drainage issue. What I'll do is give you my card. And if you'll give me a call, I will go ahead and find who at public works can sit down with you and talk about drainage. I know that they have a ranking of drainage projects and a number of projects and the time line for them. But I will have to find the right person for you, and we'll set up a meeting so that they can give you a time line.

VOICE: Well, the question was asked about the health and what would happen with bodies and stuff like this. I came in to help my mom. She first started complaining about going out in the yard, working in the yard. And she would get sick when she'd go out in the yard. And I said, um, the yard is making you sick? I teased with her. And

then she started with glaucoma. I came down with her to the doctor for that. She has high blood pressure. She has arthritis.

And the environment, you talk about protecting the environment. The environment is making them sick. So I'm here to tell you I'm a living example of what she's going through and the other ladies in that area. They're all suffering. And it just hurts my heart to see the older ladies who thought they had bought a home to be able to sit back, go out in the yard, enjoy themselves, and now they're too sick to get up and go out.

And I was like I can't go and help everybody on this row, but they're really sick. And it's really sad to know that they love their city. They don't want to move. They don't want to move out of the city, but it's just their bodies are deteriorating and they are really getting to be like animals because they can't do anything. They're just laying there.

So it's really -- to hear EPA say they're going to do something 2001, they're going to do something even next, what, January? Any time is like disregard for human dignity. I mean their dignity has been taken away from them knowing that

they have been getting out of the water for 30 years and running. When they say flood, they get out. They don't stay in those homes. So it's like the city, they're saying the city doesn't care about us. And they love their city. There's nothing like Jacksonville. And you know how older ladies are. When they love something, they love it. So they expect the city to do something for them. And I expect the city to do something for them because they have given so much to the city.

MS. LAQUIDARA: I will give you my card. And I don't know whether I need something from the neighborhood, but all I can do, because I'm not that person, but I can make sure that the right person sits down with you and set up something. And I'll go ahead and participate to make sure that it continues, okay. So I'll go get you my card and my secretary will set it up.

VOICE: Thank you.

MS. TUNSILL: Let me say this. Just know that those houses are part of Brown's Dump on Leonard Circle, that's where her mother lives. And we're in the process of taking surveys of the whole Brown's Dump area. And the situation that she's talking about is that area. They've been flooded

for a long time. And the contaminants from Moncrief Creek and the soil in their yards is washing into their homes. So there's a connection between the EPA and the flooding. It's not just the flooding. The flooding is bringing in bad contamination. All right? And it's happening all over the neighborhood. It may not be flooding...

MS. LAQUIDARA: But the first thing, certainly it seems to me that it's more severe if the water is coming into elderly people's houses.

MR. GUILLORY: My name is Lonnie Guillory. After listening to the gentleman in the back, I'm concerned about a few issues. And I want to refer several questions to EAP, to the school board and to the doctor of health.

I want to talk to EAP first which is handing out this leaflet. Talk to EPA. In her opening statement, her final analysis was high concentration of lead that they know. Okay. And I just want to address what's on this leaflet here about the danger of young children who is at an increased risk because of lead ingested into their bodies is absorbed, and they are more sensitive than adults to its effects.

I want to address that because that really

concern me about the gentleman who said he made aware of grass being cutted high, not when the wind was blowing. I was out on the school grounds today with the wind blowing. And I just wanted to address several things here which may concern some of the parents and might clear up a few things.

Now, I want to mention one other thing, one other statement I want to read here: How does lead enter into the body? Lead exposure stems primarily from contact with contaminated dust or water. Lead present in the air attaches to dust. Dust contaminated with lead is removed from the air by rain.

Let's stop there. I'm not going to get into this deeply. You can go back and read this. Now, if the EPA is heavily endowed in knowledge about this to put this out, how come they're to not have any influence on the school board about closing the school with this dust contamination knowing it's a high concentrated of lead? God bless America.

The gentleman said about the adults wearing masks, well, what the hell about the children? Man. God bless America my child don't go to that school. And I'm sorry for those who child go. That's just the way the thing go. And I'm

sorry and I apologize to you. I don't mean any harm, but, man, God bless America for the children. When he said adults wearing masks, the children around and play in dust and kick dust. Dust fly in the air. Here's what's on the thing. I'm just saying about what's on here, okay. And they get contaminated, fall in the dust, put their hands on here and get a respiratory problem which goes into the lungs which kill the blood cells, where the blood cells go to breathe, to reproduce.

But let's talk to the doctor about the IQ. They're talking about the cancer. Let's talk about the IQ. That's permanent damage. Here it says lead exposure in infants and young children has been shown to decrease IQ scores, man. Retard. That never regroups. You can never repair that. Why haven't, if they've known that, they didn't have any influence, and EAP has influence to influence the school board to temporarily, if not close permanently, temporarily close this school and remove these children until final results are done?

What about the children if right now the damage being done to the IQ, you can never repair that. You might can find some cancer and kill cancer if you can find it quick enough and fast

enough that you can get rid of that problem, but what about the IQ?

Here they say they're at high risk. They're more sensitive than adults. That concerns me deeply, man. I'm not attacking nobody. If we come to a conclusion, and I understand you didn't have prior knowledge. But if you have knowledge now, why not act immediately to save maybe 20 children or the 20 children is not to be saved compared to the masses. Why not take immediate action if you can save those 20? That deeply concerns me.

And because the gentleman said the adults wear masks and to hell with the children. In other words, that's what I received. And I'm not trying to be negative. And I apologize for my language. But that really concerns me.

MR. SAFAY: I did not say for adults to wear masks, sir. I said for the operator of the equipment to wear masks.

MR. GUILLORY: That's an adult. I apologize. Let me rephrase. I apologize. I said in my statement -- I apologize to anybody. I'm not trying to attack nobody. I said that. I'm trying to express my deep concern for the little shorties,

the children.

MR. SAFAY: The county did blood testing on the children; am I correct on that, sir? What were the results? Also I recommended that the grass being left high to prevent dust. I also recommended that when the grass is cut, when it does have to be cut, that it is not done on a windy day to minimize dust, right?

MR. GUILLORY: I made that statement, sir.

MR. SAFAY: And the fact about the mask was that the operator of the equipment, and I stated whether or not that lead -- there is lead in the soil or not, the operator of equipment that's cutting grass should in all cases be wearing a mask. That's the recommendations that I made to the congresswoman when I came down here several months ago.

MR. GUILLORY: Okay. Thank you. Could I wrap this up by talking to the doctor?

MS. ANDREWS: And none of those have been implemented today.

MR. GUILLORY: I would like to ask you several questions, please.

DR. GOLDHAGEN: Let me first just comment on the lead. And many folks in the room have heard

this. We have tested the children in the community since 1995. We've tested all the children in the community. We have gone door-to-door. We have done special lead testing. We have tested all the children in the school. We have also, although there is no indication, we've also extended the testing to older children.

There isn't a better tested community, I don't think, in the country than that community. The lead levels in children are lower in that community, in the community, than they are in the rest of Jacksonville. We've tested hundreds and hundreds and hundreds of children. And at least as far as the lead is concerned, there is no evidence of a significant amount of lead contamination in the blood of children living in the community and going to the school.

MR. GUILLORY: Is it any significant amount of danger?

DR. GOLDHAGEN: The level is under 10.

MR. GUILLORY: Well, let me ask you this.

DR. GOLDHAGEN: The screening level is under 10.

MR. GUILLORY: Well, let me ask you this question. What if I had a syringe full of lead and

I actually could give you a small dosage every day. Would you agree to that?

DR. GOLDHAGEN: That's an absurd question.

MR. GUILLORY: No, I just asked the question. Answer my question.

DR. GOLDHAGEN: That's an absurd question.

MR. GUILLORY: No, answer the question. Answer my question, because I have a point I want to make.

DR. GOLDHAGEN: Well, if you want to ask -- get to the point and then I'll answer the question.

MR. GUILLORY: All right. Let me ask you this. What if I said, let me do it to your child. Let me inject a little bit of lead in your child every day or your grandbaby.

DR. GOLDHAGEN: That's an absurd question.

MR. GUILLORY: That's an absurd question. Correct. I wanted you to see that that way. I want you to understand it that way.

DR. GOLDHAGEN: But we know -- but we know that children going to that school and living in the community are not getting exposed to a little bit of lead every day, because if they were getting exposed to a little bit of lead every day, we would be able

to see that exposure of a little bit of lead every day in their blood. So we know that they are not being exposed now to a little bit of lead every day.

MR. GUILLORY: I want you to understand that now. My concern goes to a wider range.

DR. GOLDHAGEN: Sure.

MR. GUILLORY: What about stopping the potential danger when we know a high concentration of lead is there? What measures do we take to prevent that?

DR. GOLDHAGEN: At the school --

MR. GUILLORY: We know in these dust particles, according to this --

DR. GOLDHAGEN: Let me just finish.

MR. GUILLORY: Okay.

DR. GOLDHAGEN: There are lots of issues here. There is the entire community where they're testing for lead as well as other types of toxins, and then there's the school.

At the school the type of things that have been done with laying soil, with laying wood chips, with fencing off that area, the school is preventing on those grounds the children from being exposed to lead at the school grounds.

MR. GUILLORY: How can you say that when

it's airborne?

DR. GOLDHAGEN: First of all, lead is generally not airborne, because it's a heavy metal.

MR. GUILLORY: Is this incorrect information?

DR. GOLDHAGEN: Would you let me finish, sir?

MR. GUILLORY: Is this incorrect information?

DR. GOLDHAGEN: Would you let me finish?

MR. GUILLORY: Okay, go ahead.

DR. GOLDHAGEN: On the school property with more than six inches of cover over the ground where the lead is, it is not airborne on the school, at the school or on the school property.

Now, the question is a legitimate one once the children get off the school property and go back home.

MR. GUILLORY: That's all my concern is.

DR. GOLDHAGEN: Right. And we share that concern.

MR. GUILLORY: That's all my concern is. That's my main concern.

DR. GOLDHAGEN: And we share that concern.

MR. GUILLORY: God bless America.

DR. GOLDHAGEN: And as far as lead is concerned, we're comfortable that the children are not being exposed.

MR. GUILLORY: That's your view. The parents are insecure because they feel that they are more at risk because they are there daily.

DR. GOLDHAGEN: We will test -- any child --

MR. GUILLORY: Yes, but you're going to go back to the Southside after the meeting, they're not. Thank you.

MR. EXSON: Edward Exson. Tonight I've heard lawyers, doctors and scientists. The doctors have made observations, and the lawyers have made some legal ones, and the scientists have not informed us because they don't know. I heard one lady say that they should have done more before now, and she wants to expedite the process. But since she also observed that the cleaning up would be a temporary process, a temporary thing, why can't the EPA influence the school board or the City of Jacksonville to close the school, however temporary?

Now, tonight I noticed one of the lawyers took, I think, a little ill in here. And I'm hoping she'll get better. I'm hoping that she didn't come

from the other side of the track to come to the dump to get ill. I wish her best wishes.

MS. BENANTE: To respond to the questions about the EPA influence. I don't want to redo what's been said before. But just to mention to you there are certain things that EPA can do within the law. And the process is if the department of health and ATSDR say there's immediate risk, then we can close it down. If they believe there isn't, then we don't have the influence to shut the school down. But if you as a community feel the school needs to be shut down, then you need to discuss that with your elected officials and the school board and use your influence, because I want to tell you right now your influence is greater than EPA's influence.

And I'm mimicing some of the things that Congresswoman Brown said. Work with Congresswoman Corrine Brown. Work with the school board. Work with your elected officials if you feel in your community something needs to be done differently. That's my advice to you.

MS. TUNSILL: I have a question. And I won't be long. You know, we've been knowing this since May 1989, right? Now my thing is this -- my thing is this. First of all, we the community

should not have been placed on top of a toxic waste site to live. That's number 1.

Number 2, I resent having to spend so much energy trying to prove a point that's already very clear. Now, we know and I'm just going to say this and I'm not going to say anything else tonight because we've been around and around and around since then. But I know and members of the Citizens Organized for Environmental Justice know that this is nothing but environmental racism and genocide. That's all it is, because if it was white children involved here, we wouldn't be having this conversation. And so that's the end of my comments tonight.

MS. BARNUM: Again it's Eunice Barnum. I just saw Dr. Hilliard exit the room. But are there anyone else here from the health department? Dr. Goldhagen and Dr. Bozeman?

I have heard and I'm asking all of you here, EPA, ATSDR, the health department, everybody is still here. I have heard that there is a problem over in Crystal Springs. Anybody aware of that?

I want to know if Dr. Hilliard is going to say to those residents, oh, it's your diet. I wonder if EPA is going to go over and tell that

group of people that it's going to take us three years before we can decide whether you are in harms way or not. I'm asking. I heard about it. I've read a little bit about it. I've heard people talking about it that there is a problem in another side of town. All eyes are on you.

MS. BENANTE: I'd like to talk to you after about that, because off the top of my head I'm not familiar with the site in Crystal Springs. I'm not even sure where Crystal Springs is.

MS. BARNUM: It's a very toxic area.

MS. BENANTE: We can talk about that afterwards. I'd really like to find out about that.

VOICE: This is my first time attending one of these meetings. I can only speak from my experience. I was a student in 1976 at Mary McLeod Bethune. And we, you know, being students and everything, we played, we played just like kids would play over there. We were bused from the Westside over on this side.

And I was always wondering when I was in the fifth grade, why were these white individuals going to private school? As soon as they knew that they were going to be bused over to Mary McLeod Bethune, it was like a big uproar. Being I was so

young then, I didn't understand. But now I understand, you know, why. These kids being they -- you know, my mom couldn't afford to send me to a private school, so I have no choice but to go to Mary McLeod Bethune Sixth Grade Center.

I'm very concerned about these kids, because I was reading the pamphlet just like everybody else here. And my son, I have a son and it's very coincidence that my kids who were bused over here from the west side of town, we didn't have to come over here. We had schools on our side of town. I went to, you know, mixed schools, black and white schools. And we were bused over here for the integration period.

A lot of my peers are having problems with their organs as far as tumors, hysterectomies. Males that went to school are having like low reproducing system. We're having problems.

I have a child who was born with cerebral palsy, brain damage. I have a few other peers who were born with the same minor condition. It's a problem.

We played and I didn't know about the bluish gray was lead. I didn't know this. We had fun playing in that pretty blue grass, you know.

I'm sick. My son has to go through the rest of his life because of something that we weren't aware of. These children are suffering because of something we didn't know. We need to save our children. These kids who are going to the school who are there now, you know, teachers can say don't play over there. Don't go over here. They don't understand the dangers. They're here playing and trying to enjoy their youth like any other elementary school would want to do. Any child in elementary want to go out and play kick ball, kick up dust, play around. And they have a right to do that. We shouldn't have to take away their ability to be children by telling them what to play and what not to play in. We shouldn't do that.

And, you know, being that they're normal enough, where my son, he can't play like that, you know, because of things that I have done, you know, as far as playing in the lead and, you know, being in that type of environment.

And being that we didn't have a choice but to be bused over there because we needed our education, we need to protect our children who are over there now because any amount of lead is going to their system or any other toxic is going in their

system.

I'm 35 years old, you know, and these are issues that my peers have to go through in this time. And they're serious conditions. I mean, as far as, you know, people who went to school with me over here, who were bused when it was just only a sixth grade center, they're having a lot of problems. And it's so coincidental that all of these kids, all of my peers are coming along with these same conditions. It's terrible.

We need to have a survey for the area that I live in. I grew up in the area. I'm still living over there. I love Jacksonville. I love Jacksonville.

You know my mama always say you should love. I love Jacksonville. I love the kids. We need to save our kids so they won't have to go through the same things that I'm going through now with mine.

Please, if there's any way possible that we can close this school down temporarily and send them somewhere else. I know the schools are over-crowded. I know there are some conditions and we have to deal with it, but there's got to be a way that we can just get these kids away from these

schools that's causing all this contamination. There's got to be a way. I mean we may be old and gone before they realize the effects that this is having on them. But I know and I'm speaking from my experience.

VOICE: I want to say to everyone, the EPA and all officials from the city, for your time and for your effort, I appreciate that. The information that I received tonight was very informative.

But I have one concern that I want to ask about just to inform me. The Mary McLeod Bethune School, the area that's taped off, that area, I know that Ms. -- the school board, Ms. Gibson mentioned that there should be some danger signs there.

But the question I'm asking, how is it that it's danger signs and right -- they can look right out of their back door or look right out of the window, the classrooms, and they're so adjacent to the danger that's right next door. I want to know some elaboration on this.

You're saying that hey, well, don't go on this side, but all on this other side is all right. It's safe. That's why I want to get clearance on this. You're saying that I can look out the window and all of this is taped off, it's danger over here.

But what about the school that it's built on itself? That's what I want to get some information on that. Please elaborate on that.

MS. BENANTE: I'd probably like to have some of the health people answer part of that question, but I believe that that's why I say and I believe that the site needs to be cleaned up whether it's within the fenced area or it's outside the fenced area or it's in the yard, the site needs to be cleaned up.

MS. GIBSON: To the person that asked the question, my position all along has been to err on the part of the children. If there's an error as to whether it's at risk or not, my position was to close the school from the beginning. There are other problems. My other colleagues basically decided that the recommendations that came from the health department and the others was sufficient for them, but they were not sufficient for me.

I do not believe in exposing the children to any risks, if possible. So that has always been my position, and I'm hoping that the community will understand that better and continue to talk with my colleagues on the board, with the health department, with the other health agencies.

And that's one of the reasons why I wondered why EPA had completely skipped that portion of the process, because that's the most important process to me because it impacts the lives of children and the families on the site.

So my position has been the same. The dangers and the level of danger, all of those kinds of questions are questionable. And I don't believe in exposing that to children if we can help it. So hopefully we will continue to work on closing the school.

MS. BENANTE: Can I say one thing. It's about five after nine. I just want to let you know that we will be here, you know, if you want to come up individually and ask questions. I guess we'll get through the next few questions and I'd kind of like to wrap it up if we could. We'll be here to answer any questions that you might have.

(Speaker speaking not using mike)

MS. GIBSON: The question had to do with whether or not there was room for the children in other schools. If the community can remember, last year the parents were given an opt-out provision. And those parents who chose to move their children had the option to do that. And there were rooms

throughout the district for those kids to be housed.

Many of the parents did not opt out because they too were confused receiving so many different messages from the community as to whether or not those risk factors were either high enough or low enough to impact their children.

My position is, as I said earlier, was I didn't think we should take any risks with the health of the kids and that we should close the school until such time as we got some kind of final determination.

VOICE: Is there anybody from ATSDR here? Now, I don't understand this process of testing the children. I know that the EPA depends upon the ATSDR to give it directions as to if there's health risks. Who does the tests?

MR. SAFAY: The county health department.

VOICE: The county health department?

MR. SAFAY: Are you talking about the blood testing?

VOICE: Right. Of the children.

MR. SAFAY: The county health department.

VOICE: In other words, the decision whether or not to close the school lies with the Duval County/Jacksonville health department. That's

a slash because it's right here in Jacksonville, right?

MR. SAFAY: No, sir, I don't believe so.

VOICE: Isn't that Dr. Goldhagen?

MR. SAFAY: I don't believe the county health department makes that decision. Now, I don't know how the city works, but I think it's the board of education that would have to make that decision. Could somebody help me on that answer, please? Who makes the decision on that? The blood testing --

VOICE: Yes, who does that?

MR. SAFAY: The blood testing of the children is done by the county health department.

VOICE: Right. So it's not really ATSDR?

MR. SAFAY: No, we don't do the blood testing.

VOICE: So, in other words, EPA is really taking the word of the county health department, not ATSDR? That's more or less what it amounts to.

MS. BENANTE: We're using their data.

VOICE: Using their data, right. Local people and the local government are the PRPs in this case, the people who put us on the dump. And they have a vested interest in not closing that school, right? Is that right? So you're depending on the

same people more or less who are the responsible parties to make the determination whether the school should be closed, because you're not getting data from ATSDR.

MR. SAFAY: Wait, wait. Whoa, whoa, whoa. Wait, wait, wait. The health department tests children's blood to see if they have high levels of lead in their blood, okay. That's all the health department has done. They take the children's blood, they test it; they analyze it. And from what I understand from what the county health department has said to me and said to everybody, they have not found any levels of health concern in children's blood.

VOICE: I understand that. But the only point I'm trying to make and I hope it's well taken, is that the people who's giving out this information, who's gathering this information, are really local people that have a vested interest in not closing that school because there is a legal ramification there.

MS. TUNSILL: So, in other words, we don't trust the city and the health department.

DR. BOZEMAN: I'm Dr. Bozeman from the health department. I just want to say one thing to

clarify. The health department is separate from the city. We're not funded by the city. We aren't part of the city. We're a separate entity from the city.

MR. HOOKER: I'm actually going to ask you to say that again because I know there were a number of people who were having trouble hearing you. And one of the things that would be helpful for people to be able to hear you is if we have one conversation going on at one time as opposed to several. So you-all could help be able to hear by having one conversation.

DR. BOZEMAN: Just to repeat that, the health department is a separate entity from the city of Jacksonville. We are not part of the city of Jacksonville, just to clarify that issue.

MS. TUNSILL: Can Dr. Hilliard come up? We have a question.

MR. ELLIOTT: We have already -- it is now 40 minutes after. We've been here for two hours and 40 minutes, and EPA at least, and I presume some of the other departments will stay here to talk individually. And you have a question?

VOICE: Let me say one thing. The bottom line so far tonight look like -- I'm not racist or anything like that. I want the best for everybody.

But the whole thing for me sitting here, this is one of my first meetings. My neighbor came, I said I'd leave my job and come straight here. To me, I'm not the smartest person in the world; I'm not the dumbest either. You close that school, case closed. The school got (inaudible). But we got to keep the school open and performing, and the school messed up. We know it.

I ain't going throw in stuff like if we were in Blanding or Arlington, I'm through going for that. But it's always the black American on our side that always loses. If you close the school, you got to relocate. So what we got to do to the best of our ability to keep that school open so these folks won't be asking to be relocated.

MR. WRIGHT: Can we close this out and then maybe then let's take a rest room break.

MR. HOOKER: So if you have additional comments or concerns, EPA will be here. Other agencies, some of whom are still here will probably also take questions. And thank you for your time and patience. It's been a long evening. You've been very patient. Thank you.

(The record was closed at 8:58 p.m.)

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C E R T I F I C A T E

STATE OF FLORIDA)
)
COUNTY OF DUVAL)

I, Sandra Crowley, RMR, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true record thereof.

DATED this 11th day of April 2000.

Sandra Crowley

Sandra Crowley, RMR